

**United States Bankruptcy Court
District of Maryland**

In re **Chance D Bernard
Tracy A Bernard**

Debtor(s)

Case No. **10-11563**
Chapter **13**

SECOND AMENDED CHAPTER 13 PLAN

☐ Original Plan

☒ Amended Plan

☐ Modified Plan

The Debtor proposes the following Chapter 13 plan and makes the following declarations:

1. The future earnings of the Debtor are submitted to the supervision and control of the Trustee, and Debtor will pay as follows (select only one):
 - a. \$ _____ per month for a term of _____ months. OR
 - b. \$ **700.00** per month for **3** month(s),
\$ **1,160.00** per month for **54** month(s),
\$ **1,620.00** per month for **3** month(s), for a total term of **60** months. OR
 - c. \$ _____ per month prior to confirmation of this plan, and \$ _____ per month after confirmation of this plan, for a total term of _____ months (if this option is selected, complete 2.e.i.).
2. From the payments received, the Trustee will make the disbursements in the order described below:
 - a. Allowed unsecured claims for domestic support obligations and trustee commissions.
 - b. Administrative claims under 11 U.S.C. § 507(a)(2), including attorney's fee balance of \$ **2,500.00** (unless allowed for a different amount by an order of court). **2500.00 to be paid through plan this is a flat fee pursuant to 4(b) of Appendix F**
 - c. Claims payable under 11 U.S.C. § 1326(b)(3). Specify the monthly payment: \$ **0.00**.
 - d. Other priority claims defined by 11 U.S.C. § 507(a)(3) - (10). The Debtor anticipates the following claims:

Claimant
**Internal Revenue Service
State of Maryland**

Amount of Claim
**32,093.00
12,137.00**

- e. Concurrent with payments on non-administrative priority claims, the Trustee will pay secured creditors as follows:
 - i. Until the plan is confirmed, adequate protection payments and/or personal property lease payments on the following claims will be paid directly by the Debtor; and, after confirmation of the plan, the claims will be treated as specified in 2.e.ii or 2.e.iii, below (designate the amount of the monthly payment to be made by the Debtor prior to confirmation, and provide the redacted account number (last 4 digits only), if any, used by the claimant to identify the claim):

Claimant
-NONE-

Redacted Acct. No.

Monthly Payment

- ii. Pre-petition arrears on the following claims will be paid through equal monthly amounts under the plan while the Debtor maintains post-petition payments directly (designate the amount of anticipated arrears, and the amount of monthly payment for arrears to be made under the plan):

Claimant
Citimortgage

Anticipated Arrears
6,795.58

Monthly Payment
181.97

No. of Mos.
5-42

- iii. The following secured claims will be paid in full, as allowed, at the designated interest rates through equal monthly amounts under the plan:

<u>Claimant</u>	<u>Amount</u>	<u>% Rate</u>	<u>Monthly Payment</u>	<u>No. of Mos.</u>
Prince George's County Treasury	2,625.00	12.00%	91.67	5-42

- iv. The following secured claims will be satisfied through surrender of the collateral securing the claims (describe the collateral); any allowed claims for deficiencies will be paid pro rata with general unsecured creditors; upon confirmation of the plan, the automatic stay is lifted, if not modified earlier, as to the collateral of the listed creditors:

<u>Claimant</u>	<u>Amount of Claim</u>	<u>Description of Collateral</u>
Chase Mtg	107,180.00	3251 Peele Court Virginia Beach, VA 23452
Farm Credit Of The Vir	118,173.00	1626 Sailors Creek Road Calllands, Virginia 24530
Harley David	14,318.00	2009 Harley Davidson 1200 Nightster 2500 miles
Ntl City Mtg	105,389.00	1120 Old club House Road Virginia Beach, VA 23452

- v. The following secured claims are not affected by this plan and will be paid outside of the plan directly by the Debtor:

Claimant
-NONE-

- vi. If any secured claim not described in the previous paragraphs is filed and not disallowed, that claim shall be paid or otherwise dealt with outside the plan directly by the Debtor, and it will not be discharged upon completion of the plan.
- vii. In the event that the trustee is holding funds in excess of those needed to make the payments specified in the Plan for any month, the trustee may pay secured claims listed in paragraphs 2.e.ii and 2.e.iii in amounts larger than those specified in such paragraphs.

- f. After payment of priority and secured claims, the balance of funds will be paid pro rata on allowed general, unsecured claims. (If there is more than one class of unsecured claims, describe each class.)

3. The amount of each claim to be paid under the plan will be established by the creditor's proof of claim or superseding Court order. The Debtor anticipates filing the following motion(s) to value a claim or avoid a lien. (Indicate the asserted value of the secured claim for any motion to value collateral.):

<u>Claimant</u>	<u>Asserted Value</u>	<u>Description of Property</u>
Cbna	0.00	Location: 5301 Church Road, Bowie MD

4. Payments made by the Chapter 13 trustee on account of arrearages on pre-petition secured claims may be applied only to the portion of the claim pertaining to pre-petition arrears, so that upon completion of all payments due under the Plan, the loan will be deemed current through the date of the filing of this case. For the purposes of the imposition of default interest and post-petition charges, the loan shall be deemed current as of the filing of this case.
5. Secured Creditors who are holding claims subject to cramdown will retain their liens until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or discharge under § 1328; and if the case is dismissed or converted without completion of the plan, the lien shall also be retained by such holders to the extent recognized under applicable nonbankruptcy law.

6. The following executory contracts and/or unexpired leases are assumed (or rejected, so indicate); any unexpired lease with respect to personal property that has not previously been assumed during the case, and is not assumed in the plan, is deemed rejected and the stay of §§ 362 and/or 1301 is automatically terminated:

<u>Other Party</u>	<u>Description of Contract or Lease</u>	<u>Assumed or Rejected</u>
Gold's Gym	Gym Membership entered into 1/21/2009	Reject

7. Title to the Debtor's property shall revert in the Debtor when the Debtor is granted a discharge pursuant to 11 U.S.C. § 1328, or upon dismissal of the case, or upon closing of the case.

8. Non-Standard Provisions:

All non-exempt tax refunds are to be applied to the plan.

Date **June 3, 2010** Signature /s/ Chance D Bernard
Chance D Bernard
 Debtor

Date **June 3, 2010** Signature Tracy A Bernard
Tracy A Bernard
 Joint Debtor

Attorney /s/ **Jeffrey M. Sirody**
Jeffrey M. Sirody

**United States Bankruptcy Court
District of Maryland**

In re **Chance D Bernard
Tracy A Bernard**

Debtor(s)

Case No. **10-11563**
Chapter **13**

CERTIFICATE OF SERVICE

I hereby certify that on **June 3, 2010**, a copy of **Second Amended Chapter 13 Plan** was served electronically or by regular United States mail to all interested parties, the Trustee and all creditors listed on the attached creditor mailing matrix.

/s/ Jeffrey M. Sirody

**Jeffrey M. Sirody
Sirody Freiman & Feldman
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Baltimore, MD 21208
410-415-0445 Fax: 410-415-0744
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INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 21126
PHILADELPHIA, PA 19114-0326

(d)Internal Revenue Service
31 Hopkins Plaza
Room 1150
Baltimore, MD 21201

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)CitiMortgage, Inc.
P O Box 6941
The Lakes, NV 88901-6941

End of Label Matrix	
Mailable recipients	26
Bypassed recipients	1
Total	27

Label Matrix for local noticing
0416-0
Case 10-11563
District of Maryland
Greenbelt
Thu Jun 3 15:48:29 EDT 2010

CitiMortgage, Inc.
P O Box 6941
The Lakes, NV 88901-6941

Bk Of Amer
4060 Ogletown/Stn De5-019-03-07
Newark, DE 19713

Cbna
Po Box 769006
San Antonio, TX 78245-9006

Chase Home Finance, LLC s/b/m to Chase Manha
3415 Vision Drive
Columbus, OH 43219-6009

Chase Mtg
10790 Rancho Berna
San Diego, CA 92127-5705

Citibank, NA
P O Box 6941
The Lakes, NV 88901-6941

Citimortgage
Po Box 9438 Dept 0251
Gaithersburg, MD 20898-9438

Comptroller of the Treasury
Compliance Division, Room 409
301 W. Preston Street
Baltimore, MD 21201-2305

Farm Credit Of The Vir
106 Sangers Ln
Staunton, VA 24401-6711

First Equity Card
c/o Creditors Bankruptcy Service
P O Box 740933
Dallas,Tx 75374-0933

First Equity Card Corp
PO Box 23029
Columbus, GA 31902-3029

Gold's Gym
12510 Fairwood Pkwy
Bowie, MD 20720-6343

Harley David
3850 Arrowhead Dri
Carson City, NV 89706-2016

Harley Davidson Credit Corp
PO Box 829009
Dallas Texas 753829009

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 21126
PHILADELPHIA PA 19114-0326

Navy Federal Cr Union
820 Follin Ln Se
Vienna, VA 22180-4907

Navy Federal Credit Union
PO Box 3000
Merrifield VA 22119-3000

Ntl City Mtg
3232 Newark Dr
Miamisburg, OH 45342-5421

PNC Mortgage,
a division of PNC Bank,
National Association
3232 NEWMARK DRIVE
MIAMISBURG, OH 45342-5421

Prince George's County Treasury
14741 Gov. Oden Bowie Dr.
Upper Marlboro, MD 20772-3043

Prince George's County, Maryland
c/o Meyers, Rodbell & Rosenbaum, P.A.
6801 Kenilworth Avenue, Suite 400
Riverdale, Maryland 20737-1331

Prince George's County
Treasurer Division
Room 1090
Upper Marlboro, MD 20772

State of Maryland
Comptroller of the Treasury
301 W. Preston Street
Room 410
Baltimore, MD 21201-2396

State of Maryland DLLR
Division of Unemployment Insurance
1100 N. Eutaw Street, Room 401
Baltimore, MD 21201-2201

Suntrust Bank
Attn: Support Services
P.O. Box 85092
Richmond, VA 23286-0001

Suntrust Bank
Po Box 40
Wayne, NE 68787-0040